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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/599,999	06/23/2000	Steven Andrew Cover	204006	8986
23460	7590	07/28/2004	EXAMINER	
LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6780			LUU, SY D	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/599,999	Applicant(s) COVER ET AL.	
	Examiner Sy D Luu	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-25,27 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9-25,27 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

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Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the RCE Amendment B, filed 4/22/04. This action is made Non-Final. Claims 1-29 are pending in this application. Claims 1, 14 and 22 are independent claims. In the Amendment B, claims 1, 9, 14 and 22 were amended, and claims 8 and 26 were canceled.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

3. Claim 1-7, 9-25 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Netscape Communicator v 4.61 ("Netscape Communicator") in view of Prizm Plug-in 2.1 ("Prizm") and Hoyt et al. ("Hoyt", US 6,085,195).

As per claims 1-5, Netscape Communicator teaches a method of modifying an image on a web page, the method comprising: establishing communication with a remote computer over an Internet public network (fig. 1; *connecting to the PTO website*) using HTTP Internet protocol through a TCP/IP stack (*inherent features within browsers such as Netscape*); downloading the web page from the remote computer and displaying the web page in a web-browser interface (fig. 1; *PTO webpage*); and in response to the user selecting the image from the displayed web page directly from the web-browser interface, presenting the image in an interface to the user (fig. 3; *user selecting image 30 and activating the editor through menu option 36*). Netscape Communicator does not expressly disclose the image to be presented in an editing interface for

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modification by the user. However, such a feature is well known in the art. For instance, Prizm, a plug-in application, which when “plugged” into a web browser such as Netscape Communicator, makes up for what Netscape Communicator does not teach (figs. 4-5; *where a “plug-in” editor is automatically invoked---see figs. 1-2 for information on the plug-in editor*). The method of Netscape and Prizm still does not disclose the step of saving the modified image as a modified source file on the remote computer. However, such a step is well known in the art. For instance, Hoyt teaches a method of creating a webpage including an image thereon, wherein after the image is modified, the image file is uploaded to the remote server (abstract; claims 1 and 11). It would have been obvious to an artisan at the time of the invention to include the step of saving the modified image onto the remote computer as taught by Hoyt with the method of Netscape and Prizm in order to update all changes that have been modified by the user to the source file for future use.

As per claims 6, Netscape Communicator teaches the web page to comprise a plurality of images (fig. 3; *images 30, 32 and 34*), and wherein the presenting step further comprise: in response to user selection of at least one image of the plurality of images (fig. 3; *user selecting image 30 and activating the editor through menu option 36*), presenting the selected image in an editing interface for modification by the user (figs. 4-5; *where a “plug-in” editor is automatically invoke---see figs. 1-2 for information on the plug-in editor*).

Claims 7, 11, 12-14 and 17-22 are similar in scope to claims 6, 1, 6, 9, 1, 7, 14-17, 1 respectively, and are therefore rejected under similar rationale.

As per claims 9 and 15, the method of Netscape Communicator and Prizm does not explicitly disclose the steps of: (a) determining user’s write access privilege/authorization and

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saving a modified image as a modified source file onto the remote computer; and (b) changing the appearance of the image when the cursor is over at least part of the image even though the step of detecting the location of the cursor on the user interface is used (shown in fig. 3). However, these steps are notoriously well known in the art. It would have been obvious to an artisan at the time of the invention to include these steps with the Netscape Communicator in order to provide measures of security for user accounts and data therein, and to distinguish the image from the rest of the web page.

As per claim 10, Netscape Communicator/Prizm teaches the user being given an option to open the web page in the editing interface (figs. 3-4).

Claim 16 is similar in scope to the combination of claims 6 and 15, and are therefore rejected under similar rationale.

Claims 23, 27 are similar in scope to claims 2, 16 respectively, and are therefore rejected under similar rationale.

As per claim 24, Netscape Communicator/Prizm discloses the communication means to be a socket (*an inherent feature for indentifying a particular service on a particular node on a network*).

As per claims 25, Netscape Communicator/Prizm teaches the downloading means to be a web browser in cooperating with the communicating means (fig. 3).

As per claims 28, Netscape Communicator/Prizm teaches the editing means to be a graphic editing program (fig. 5).

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Response to Arguments

4. Applicant's arguments with respect to the independent claims have been considered but are moot in view of the new ground(s) of rejection.

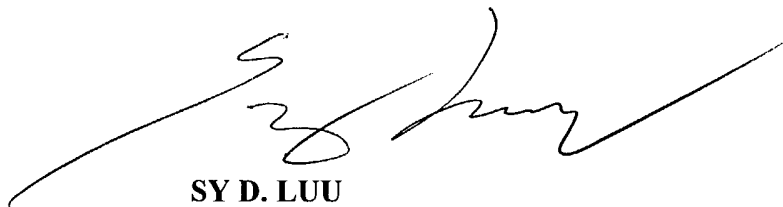
Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is (703) 305-0409. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

A handwritten signature in black ink, appearing to read 'Sy Luu', is written over a horizontal line.

**SY D. LUU
PRIMARY EXAMINER**

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